

FOREIGN AFFAIRS MANUAL



VOLUME 9 – Visas

Transmittal Letter: VISA-183

Date: December 18, 1998

PARTS 40, 41 AND 42

MAJOR CHANGES

1. 40.82 Notes: N1 - Pub. L. 102-232 amended INA 212(a)(8)(B) making it applicable to **ALL** visa applicants, including former U.S. citizens (except former nonimmigrants seeking to reenter the United States as a nonimmigrant).
2. 40.82 Procedural Notes: These procedural notes were previously included in 40.82 Notes (formerly N7, N7.1 and N7.2).
3. 40.82 Exhibit I: Selective Service System Form SSS-725, Authorization for Release of Information, has been added.
4. 41.62 Exhibit IV: Exhibit IV has been added to 41.62. These organizations have been designated to administer the Au Pair Program.
5. 41.103 Notes: N1.1 and N1.2 have been deleted from 41.103 Notes and incorporated into 41.103 Procedural Notes. N2 now becomes N1.2. N6 entitled "Instituting a Written Reapplication" has been added.
6. 41.103 Procedural Notes: PN1.1 and PN1.2 which were formerly in 41.103 Notes have been added to this section. In PN2.2, several countries were deleted from the list. Amsterdam has replaced The Hague and Mexico City has been added.
7. 42.32(e) Notes: N7, N8, N9 and N10 – Sec. 610 of Pub. L. 102-235 created a seven-year pilot program for certain aliens making qualified investments in commercial enterprises that would promote economic growth. The notes have been added to assist consular officers in implementing this program.
8. 42.33 Procedural Notes: These procedural notes have been updated to reflect the current procedures for processing Diversity Visas.
9. 42.41 Procedural Notes: Procedural Notes regarding blood tests and genetic testing have been expanded.

10. 42.42 Notes: N2.2-3 is added to instruct consular officers on the handling of visa petitions when the petitioning business has changed names. N3 and subnotes contain additional information regarding petitions for battered and abused spouses and children of U.S. citizens and legal permanent residents.
11. 42.51 Procedural Notes: N4.2 is amended to require posts to include the issuance date (month and year) of the number returned.
12. 42.81 Exhibit III: The exhibit is removed from this section. The information contained in this exhibit appears in Appendix D, Exhibit I.
13. 42.83 Notes and Procedural Notes: The notes and procedural notes have been revised to include instructions on the disposition of petitions and documentation when applications are terminated under INA 203(g).
14. Revisions since the last update appear in italics. The italics will be removed the next time the section is updated. Only the current changes will appear in italics. Italics provide the historical record of changes.
15. Officers are reminded that Department-issued materials not codified in the *Foreign Affairs Manual* or its supplemental *Foreign Affairs Handbook* series generally have no regulatory validity [see 2 FAM 1115.2].

FILING INSTRUCTIONS

1. Remove Section 40.82 Notes (TL:VISA-46; 8-26-91 - 2 pages) and insert the revised identically numbered section.
2. Insert the new Section 40.82 Procedural Notes and the new 40.82 Exhibit I after Section 40.82 Notes.
3. Insert the new 41.62 Exhibit IV after 41.62 Exhibit III.
4. Remove Section 41.103 Notes (TL:VISA-2; 8-30-87 – 2 pages) and insert the revised identically numbered section.
5. Remove Section 41.03 Procedural Notes (TL:VISA-47; 8-30-91 – 2 pages) and insert the revised identically numbered section.
6. Remove Section 42.32(e) Notes (TL:VISA-54; 2-28-92 – 2 pages) and insert the revised identically numbered section.
7. Remove Section 42.33 Procedural Notes (TL:VISA-173; 01-15-1998 – 7 pages) and insert the revised identically numbered section.
8. Remove Section 42.41 Procedural Notes (TL:VISA-170; 10-01-1997 – 4 pages) and insert the revised identically numbered section.

9. Remove Section 42.42 Notes (TL:VISA-170; 10-01-1997 – 9 pages) and insert the revised identically numbered exhibit.
10. Remove Section 42.51 Procedural Notes (TL:VISA-61; 6-5-92 – 1 page) and insert the revised identically numbered section.
11. Remove Section 42.81 Exhibit III (TL:VISA-66; 9-30-92 – 2 pages) and destroy it.
12. Remove Section 42.83 Notes (TL:VISA-102; 12-15-94 – 2 pages) and insert the revised identically numbered exhibit.
13. Remove Section 42.83 Procedural Notes (TL:VISA-66; 9-30-92 – 2 pages) and insert the revised identically numbered section.
14. After inserting the material in the binder, insert this transmittal letter immediately following the TL Checklist, fill in the entry line for TL:VISA-183, and initial.

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(CA/VO/L/R)